

PATENT  
0020-4877P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Shigekazu NAGATA et al. Conf.: 5035  
Appl. No.: 09/884,987 Group: 1647  
Filed: June 21, 2001 Examiner: S. Gucker  
For: DNA CODING FOR HUMAN CELL SURFACE  
ANTIGEN

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TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 6, 2004

Sir:

Osaka Bioscience Institute, (hereinafter "the Assignee")

- ☐ residing at ,
- ☒ a corporation of JAPAN having a principal place of business at 2-4, Furuedai 6-chome, Suita-shi, Osaka 565 JAPAN,
- ☐ a university having an address of ,

represents that it is the true owner of the entire interest of U.S. patent Application No. 09/884,987, filed on June 21, 2001, for "DNA CODING FOR HUMAN CELL SURFACE ANTIGEN," (hereinafter "above-identified application") by virtue of and as evidenced by an Assignment recorded at the United States Patent and Trademark Office at Reel 6116, Frame(s) 748-758.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as

Appl. No. 09/884,987

presently shortened by any terminal disclaimer of U.S. Patent 6,270,998 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,270,998 B1 shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application, and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,270,998 B1 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

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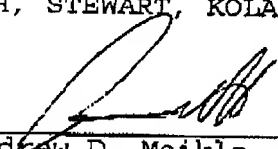
Appl. No. 09/884,987

Please charge any fees or credit any overpayment pursuant to  
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: January 6, 2004

By   
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Attachment(s)

(Rev. 05/30/03)